

# **DENTAL QUALITY ASSURANCE COMMISSION**

**Thursday, June 2, 2005**

Commission Business Minutes

Department of Health  
Point Plaza East, Tumwater, WA

## **Members Present:**

John Davis, DDS, JD, Chair  
Russell Timms, DDS, Vice-Chair  
Abdul Alkezweeny, PhD, Public Member  
Mark Koday, DDS  
George McIntyre, DDS

Bernie Nelson, Public Member  
Lorin Peterson, DDS  
Fred Quarnstrom, DDS  
Robin Reinke, DDS

## **Members Absent:**

Padmaraj Angolkar, DDS  
Laurie Fan, DDS  
Pramod K. Sinha, DDS

Mark Paxton, DDS  
Marshall H. Titus, DDS

## **Staff Present:**

Joy King, Executive Director  
Sandra Adix, AAG  
Peter Harris, Staff Attorney  
Mickey Wardell, Health Services Consultant 1

Lisa Anderson, Health Services Consultant 3  
Elyette Weinstein, Staff Attorney  
Josh Shipe, Health Services Consultant 3  
Erin Obenland, Health Services Consultant 1

## **Others Present:**

Don Frantz, DDS  
David Hemion, WSDA  
Joella Pyatt, RDH, DHEC  
Dr. James Ribary

Melissa Johnson, Lobbyist, WSDHA  
Kim Dinsmore, DOH  
Charles Weber, DMD  
Todd W. Herzog, CRNA, WA Assn. of  
Nurse Anesthetists

## OPEN SESSION

**7:01 p.m.**

### **1. CALL TO ORDER-** John Davis, DDS, JD, Chair

#### **1.1 Introduction of Audience**

Dr. Davis publicly acknowledged and thanked the audience for attending and they were asked to introduce themselves.

The Commission presented a plaque to Dr. McIntyre in recognition and appreciation of his dedication and service to the Dental Commission. Dr. McIntyre's term with the Commission will expire on June 30, 2005 and he has chosen not to seek a reappointment. Dr. Fan was not present at the business meeting and will be presented with her plaque on June 3.

#### **1.2 Approval of Agenda**

The agenda was approved as submitted.

#### **1.3 Approval of the April 14, 2005 business meeting minutes, & April 15, 2005 Panel A & B minutes**

The April 14, 2005 business meeting and the March 15, 2005 Panel A & B minutes were approved as submitted.

#### **1.4 Approval of May 2, 2005, Conference Call regarding James Classen, DDS**

The minutes for the May 2, 2005 conference call were approved as submitted.

### **2. PRESENTATIONS**

#### **2.1 Presentation by Karl Hoehn**

Karl Hoehn, Legal Services Manager, gave a presentation to the Commission regarding the ASPIRE disciplinary process review for the noncompliance pilot project. *This subject will be placed on the August 25, 2005 Commission agenda for the Commission to further discuss delegating non-compliance cases to a Health Law Judge.*

#### **2.2 Presentation by Eric Svaren**

Mr. Eric Svaren introduced himself and spoke about his background which included facilitation and training with the city of Seattle and labor unions.

**2.2.1** Mr. Svaren facilitated the Dental Commission in reviewing names and choosing individuals who have volunteered to work on an anesthesia committee. Public Member Bernie Nelson, contingent upon his re-appointment to DQAC, was voted to chair this committee. *The committee will make recommendations*

*regarding the amending of the Anesthesia regulations and report back to the Dental Commission at its regular meetings.*

## **2.3 Correspondence**

The following correspondence was reviewed and discussed by the members of the Commission:

**2.3.1** The Commission reviewed and discussed questions from Steve Carstensen regarding the use of the term “Sleep Dentistry”. *The Commission directed Lisa Anderson, Program Manager to respond.* (Letter and response available on request)

**2.3.2** The Commission reviewed a flyer regarding Botulinum Toxins for a continuing dental education course which infers that dentists from outside of Washington would practice on patients without first becoming licensed in this state. *The Commission directed Lisa Anderson, Program Manager to write to Dr. Katz, DDS asking for further clarification about the type of practice on patients that will occur at this session.* If an appropriate response is not received, further investigation will be requested.

**2.3.3** The Commission reviewed and discussed correspondence from Andrew Zsingerberger who is with SciCan. His question asked the Commission’s position on bleaching, and to what extent Washington is currently regulating bleaching products/services. *The Commission directed Lisa Anderson, Program Manager to respond.* (Letter and response available upon request)

**2.3.4** The Commission reviewed and discussed correspondence from Lisa W. Park, DDS and Simone W.H. Kim, DDS. Their questions had to do with the delegation of duties to dental assistants. *The Commission directed Lisa Anderson, Program Manager to respond.* (Letter and response available on request)

**2.3.5** The Commission reviewed and discussed correspondence from Dr. Lawrence R. Lawton, President of WSDA. WSDA had submitted multiple questions for DQAC consideration. *The Commission directed Lisa Anderson, Program Manager to respond.* (Letters and response available upon request)

## **3. PROGRAM REPORT, EXECUTIVE DIRECTOR, ASSISTANT ATTORNEY GENERAL, STAFF ATTORNEY, INVESTIGATORS - Joy King, Executive Director, Lisa Anderson, Health Services Consultant, Executive Director, Sandra Adix, AAG, Staff Attorney, Investigators**

### **3.1 Budget Report-Interim Operating Reports for January – March, 2005**

The interim operating report for March, 2005 was provided to the Commission for information and review.

### **3.2 Legislative wrap-up 2005 session**

**3.2.1** Lisa Anderson informed the Commission that HB 1612 passed this legislative session. This bill related to University of Washington Dental School faculty; and will amend RCW 18.32.195.

**3.2.2** Lisa Anderson informed the Commission that SHB 1689, An act relating to dental health services; amending RCW18.32.195 and 18.32.040; creating a new section; and providing an effective date. Ms. Anderson stated that stakeholder input would be necessary. She also informed the Commission that the implementation date is July, 2006. This legislation provides for the creation of a PGY1 type residency which allows dentists to practice for a year in a designated shortage area and become licensed without further examination.

### **3.3 Rules Update – Status Report**

**3.3.1 WSDA News Article** - Dr. Davis complimented David Hemion on WSDA's article which outlined DQAC's project to amend WAC chapter 246-817-700's, relating to the Administration of Anesthetic Agents for Dental Procedures.

### **3.4 End of Biennium Final Requirements**

Lisa Anderson reminded the Commission that the end of the biennium is June 30, 2005 and she asked the members to make sure all requests for Commission pay and travel is turned in for processing by that date.

*Joy King asked the Commission to supply Lisa Anderson with any points they wanted discussed at the September 12, 2005 leadership conference.*

## **4. AMERICAN DENTAL ASSOCIATION (ADA); AMERICAN ASSOCIATION OF DENTAL EXAMINERS (AADE); AMERICAN ASSOCIATION OF DENTAL ADMINISTRATORS (AADA); THE DENTAL ASSISTING NATIONAL BOARD, INC (DANB)**

### **4.1 National Clinical Examination**

Dr. Peterson gave a brief update about the National Clinical Examination. He will vote for the Commission on this issue.

### **4.2 122<sup>nd</sup> AADE Annual Meeting Registration Information**

Staff is waiting to receive further information regarding the 122<sup>nd</sup> AADE Annual meeting registration. Program staff will begin completing the registration materials when they are received.

### **4.3 Call for Comments: Proposed Revised Definition of Endodontics**

The Commission reviewed the proposed revised definition of Endodontics. Members were asked to submit any comments for concerns directly to the ADA.

### **4.4 ADEX Membership**

The Commission reviewed information regarding ADEX membership. *The members will give comments to Lisa Anderson my June 10, 2005. Ms. Anderson will coordinate with Sandra Adix, AAG to compare this proposed contract with the current CRDTS contract to determine whether there are any concerns in the proposed language. A final contract will be provided for the Commission's consideration once approved by the ADEX.*

**5. STAFF/COMMISSION MEMBER REPORTS**

There was no information reported on this issue.

**6. WESTERN REGIONAL EXAM BOARD (WREB)**

**6.1 Member update – Lorin Peterson, DDS**

Dr. Lorin Peterson, DDS, updated the Commission on ongoing WREB activities.

**6.2 Clinical Examinations in Dentistry**

This was provided to the members of the Commission for their information and review.

**6.3 Update – Western Conference of Dental Examiners and Dental School Deans on July 22-24, 2005 in Oregon**

Ms. Anderson informed the Commission that staff is currently working on the paperwork for members to attend the July 20 – 24 WREB and/or the Western Conference meetings to be held in Welches, Oregon.

**6.4 Western Regional Examining Board Newsletter**

This was provided to the members of the Commission for their information and review. This edition of the Newsletter contained an article by 2005 WREB President, Lorin Peterson, DDS entitled, "The bifurcation in the road".

**7. CENTRAL REGIONAL DENTAL TESTING SERVICE (CRDTS)**

**7.1 Overview of dates of upcoming meetings**

This was provided to the members of the Commission for their information and review.

**7.2 Selection of Steering Committee Representative**

The Commission selected Dr. Timms to be the Steering Committee representative to CRDTS since Dr. Robin Reinke was recently elected as the Secretary/Treasurer. The Commission also appointed Dr. Timms to continue as the ERC Representative. *The Commission asked Lisa Anderson to notify CRDTS about Dr. Timms being selected for both positions.*

**7.3 Examination Review Committee**

Dr. Russell Timms, DDS updated the Committee on the ERC activities.

## **8. CONSENT AGENDA**

Items listed under the consent agenda are considered to be routine agency matters and will be approved by a single motion of the Commission without separate discussion. If separate discussion is desired, that item will be removed from the agenda and placed on the regular business agenda.

**8.1 April 2004 letter from U.S. Department of Justice, DEA regarding digital signatures**

**8.2 “No Dentist Left Behind”**

**8.3 Articles**

**8.3.1 Access from April 2005**

**8.3.2 Article from ADA News, May 2, 2005 entitled “Amalgam OK during pregnancy”**

**8.3.3 CDC Oral Health Resources article entitled, “Dental Amalgam Use and Benefits”**

**8.3.4 WSDA News/May2005 article entitled, “Kudos and Brickbats” in “Parish or Perish” monthly column**

**8.3.5 Yakima Herald Republic article dated May 20, 2005 entitled, “Loan repayment gets dentists where they are needed”**

**8.3.6 Newsday.com article dated May 11, 2005 entitled “The end is Near”: Clinton, Gingrich unite on health care bill**

**8.3.7 Letter from Gary S. Gilbert, DDS – Dr. Russell Timms shared with the Commission a letter written to the Clark County Dental Society from Dr. Gilbert. Dr. Gilbert’s letter expressed his displeasure with his recent experiences with DQAC. *The Commission asked Dr. Timms to work with Lisa Anderson to draft a response, with consensus from the Commission***

**8.3.8 ADA News May 16, 2005 article regarding Florida’s mandate for the use of Defibrillators**

**8.3.9 Arizona State Board of Dental Examiners Newsletter, April 2005**

**8.3.10 Missouri Dental Board Newsletter, March 2005**

**8.3.11 Ohio State Dental Board Newsletter, Spring 2005.**

**8.3.12 NPDB-HIPDB Data Bank News, April 2005**

## **9. POLICIES/ INTERPRETIVE STATEMENTS, OPINIONS**

Any interpretive statement issued by the Commission is advisory and intended for the guidance of the requesting parties only. The interpretive statement is not legally binding and does not have the force and effect of a duly promulgated regulation or declaratory ruling by the Commission.

## **10. CORRESPONDENCE**

**10.1 Correspondence regarding Consumers for Dental Choice** – The Commission reviewed correspondence submitted by Charlie Brown, attorney for the Consumers for Dental Choice.

## **CLOSED SESSION**

## **11. EXECUTIVE SESSION**

*The term “executive session” is commonly understood to mean that part of a regular or special meeting of the governing body that is closed to the public. A governing body may hold an executive session only for specified purposes, which are identified in RCW 42.30.220(1)(a-k), and only during a regular or special meeting.*

The Commission may go into executive session to discuss issues that are appropriate to be handled in closed session such as personnel issues or to obtain legal advice.

## **12. FUTURE COMMISSION BUSINESS**

The next DQAC meeting is scheduled to be held August 25-26, 2005 at Point Plaza East, Tumwater.

## **13. BUSINESS MEETING ADJOURNMENT**

The business meeting adjourned at 11:15 pm. The Commission will begin Disciplinary panel business at 8:00 a.m. on Friday, June 3, 2005.

Respectfully Submitted By:

signature on file  
Erin Obenland, Health Service Consultant I

Commission Approval By:

signature on file  
John Davis, DDS, JD, Chair